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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/658,345	09/09/2003	Laszlo Jaloveczki	VDAN-40003	2126
7590 PYLE & PIONTEK ROOM 2036 221 N LASALLE CHICAGO, IL 60601			EXAMINER TOLENTINO, RODERICK	
			ART UNIT 2134	PAPER NUMBER
			MAIL DATE 08/16/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/658,345

Applicant(s)

JALOVECZKI, LASZLO

Examiner

Roderick Tolentino

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 19 June 2007.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-11 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-11 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
- 1) ☒ Certified copies of the priority documents have been received.
  - 2) ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - 3) ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

### **DETAILED ACTION**

1. Claims 1 – 11 are pending.

#### ***Response to Arguments***

2. Applicant's arguments, see pages 7 – 8, filed 06/19/2007, with respect to the rejection(s) of claim(s) 1 under 35 U.S.C. 102 (b) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Wang et al. U.S. PG-Publication No. (2002/0023215).

#### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1 – 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozzie et al. U.S. Patent No. (5,664,099), in view of Wang et al. U.S. PG-Publication No. (2002/0023215).
5. As per claim 1, Ozzie teaches assigning an identification code to said user and storing the assigned identification code at the authorization centre (Ozzie, Col. 5 Lines 25 – 27, assigning ID codes for a user), assigning a symbol set selection algorithm to

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said user and storing the assigned symbol set selection algorithm at the authorization centre in association with the identification code of the user (Ozzie, Col. 5 Lines 29 - 32, Code selected for unique graphical pattern) wherein the symbol set selection algorithm being a list of instructions how a predetermined number of graphic symbols can be generated from a table of graphic symbols (Ozzie, Col. 4 Lines 56 – 67, pool of icons), wherein each graphic symbol is characterized by a predetermined number of dominant features and each dominant feature can take a number of values (Ozzie, Col. 4 Lines 26 – 37), a table of a predetermined number of randomly chosen different graphic symbols so that the user can apply the assigned symbol set algorithm for generating a predetermined number of generated symbols (Ozzie, Co. 4 Lines 49 – 67), but fails to teach displaying for said user on said remote terminal and forwarding said generated symbols to said authorization centre, forwarding said user identification code from the remote terminal to the authorization centre, at the authorisation centre using the received identification code and reproducing said generated symbols by using the symbol selection algorithm associated with the identified user and comparing the locally reproduced response symbols with the ones received from the remote terminal, and providing access to said user only if the received and generated symbols being identical. However, in an analogous art Wang teaches displaying for said user on said remote terminal and forwarding said generated symbols to said authorization centre, forwarding said user identification code from the remote terminal to the authorization centre, at the authorisation centre using the received identification code and reproducing said generated symbols by using the symbol selection algorithm associated

with the identified user and comparing the locally reproduced response symbols with the ones received from the remote terminal, and providing access to said user only if the received and generated symbols being identical. However, in an analogous art Wang teaches (Wang, Paragraph 0016, password input remotely and password then validated).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Wang's Electronic transactions system with Ozzie's method for establishing a protected channel between a user and computer system because it offers the advantage of eliminating security risks user encounter with electronic transactions (Wang, Paragraph 0002).

6. As per claim 2, Ozzie teaches user identification code being also a predetermined number of said graphic symbols selectable from said displayed set of graphic symbols (Ozzie, Col. 5 Lines 24 – 32).

7. As per claim 3, Ozzie teaches displaying step showing to said user on said remote terminal respective lists associated with each of said features, each list comprising in a consecutive order all variations of the feature concerned, and allowing for said user to select from said lists in association with every generated symbol (Ozzie, Co. 4 Lines 49 – 67).

8. As per claim 4, Ozzie teaches features being the shape, the colour and a number written on each of said symbols (Ozzie, Figures 2A, 2B and 2C).

9. As per claim 5, Ozzie teaches symbol set generating algorithm comprises selection criteria of features (Ozzie, Co. 4 Lines 49 – 67).

10. As per claim 6, Ozzie teaches symbol set generating algorithm comprises selection and modification criteria of said features (Ozzie, Co. 4 Lines 49 – 67).

11. As per claim 7, Ozzie teaches the step of carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key, before being forwarded from said remote terminal to said authorisation centre, and in said authorisation centre using the same transformation, and in said comparing step comparing said transformed versions of the generated and reproduced symbols (Ozzie, Col. 4 Lines 43 – 48).

12. As per claim 8, Ozzie teaches communication between said remote terminal and said authorisation centre the transmittal of the identification code and the identification of the user at the authorisation centre preceding said displaying step, and in said displaying step constructing said table of graphic symbols in the knowledge of said symbol set generating algorithm associated with the particular user so that said algorithm becomes always applicable (Ozzie, Col. 5 Lines 24 – 32).

13. Claims 9 – 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ozzie et al. U.S. Patent No. (5,664,099) and Wang et al. U.S. PG-Publication No. (2002/0023215) and in view of Patzer et al. U.S. Patent No. (6,732,270).

14. As per claim 9, Ozzie teaches carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key (Ozzie, Col. 4 Lines 43 – 48), but fails to teach before being forwarded from said remote terminal to said authorisation centre, using said cryptographic key for encrypting a

message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key, and using said key to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre. However, in an analogous art Patzer teaches before being forwarded from said remote terminal to said authorisation centre, using said cryptographic key for encrypting a message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key, and using said key to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre (Patzer, Col. 4 Lines 46 – 55 and Claim 1).

At the time the invention was made, it would have been obvious to a person of ordinary skill in the art to use Patzer's method to authenticate a network access server to an authentication server with Ozzie's method for establishing a protected channel between a user and computer system because it offers the advantage of preventing unauthorized access to a system.

15. As per claim 10, Ozzie a modified teaches step of carrying out a transformation on said generated symbols to obtain a longer sequence of characters, defined as cryptographic key and carrying out a still another transformation on said generated symbols to obtain a unique cryptographic algorithm (Ozzie, Col. 4 Lines 43 – 48), before

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being forwarded from said remote terminal to said authorisation centre, using said cryptographic key and said unique cryptographic algorithm for encrypting a message from said user to the authorisation centre, and in said authorisation centre using the same transformation to obtain said cryptographic key and said cryptographic algorithm, and using said key and said algorithm to decrypt the forwarded information, and in said comparing step decrypting the received information, and the comparison is regarded positive when the decrypted information fulfils certain conditions known to the remote terminal and to the authorisation centre (Patzer, Col. 4 Lines 46 – 55 and Claim 1).

16. As per claim 11, Ozzie as modified teaches the step of creating a digital fingerprint (message authentication code, MAC) from the message of the user with the help of a one way hash function, encrypting the digital fingerprint using the said cryptographic key and unique cryptographic algorithm, forwarding from said remote terminal to said authorisation centre the message and the encrypted digital fingerprint, in said authorisation centre creating a digital fingerprint (message authentication code, MAC) from the message received from the user and using the same transformation to obtain said cryptographic key and said cryptographic algorithm, and using said key and said algorithm to decrypt the digital fingerprint forwarded with the message and in said comparing step decrypting the received digital fingerprint and the comparison is regarded positive when the decrypted digital fingerprint and the digital fingerprint created in the authorisation centre are identical (Patzer, Col. 4 Lines 46 – 55 and Claim 1).



**Conclusion**


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Roderick Tolentino whose telephone number is (571) 272-2661. The examiner can normally be reached on Monday - Friday 9am to 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Zand can be reached on (571) 272-3811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Roderick Tolentino  
Examiner  
Art Unit 2134

  
Roderick Tolentino

  
KAMBIZ ZAND  
SUPERVISORY PATENT EXAMINER